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Attorneys for Plaintiffs

**UNITED STATES DISTRICT COURT**  
**NORTHERN DISTRICT OF CALIFORNIA**

CARSON PRIDY AND PATRICIA PRIDY	) Case No. 3:08-CV-04070 SI
	)
Plaintiffs,	) <b>STIPULATION AND PROPOSED</b>
	) <b>ORDER TO REMAND CASE TO</b>
	) <b>ALAMEDA COUNTY SUPERIOR</b>
	) <b>COURT</b>
vs.	)
	) Courtroom: Courtroom 10, 19 <sup>th</sup> Floor
	) San Francisco, California
A.W. CHESTERTON COMPANY, et. al.,	)
	) The Honorable Susan Illston
Defendants.	)
	)
	)
	)

**STIPULATION**

Plaintiffs Carson and Patricia Priddy, and Defendant Foster Wheeler LLC, by and through their respective counsel, hereby stipulate to Foster Wheeler LLC's withdrawal of its notice of removal. By such stipulation, Plaintiffs and Defendant Foster Wheeler LLC respectfully request this court to immediately remand this case to state court.

IT SO STIPULATED:

Dated: October 8, 2008

**LEVIN SIMES KAISER & GORNICK LLP**

By: 

Jeffrey A. Kaiser  
Attorneys for Plaintiff

Dated: October 8, 2007

**BRYDON HUGO & PARKER**

By: 

Thomas Moses  
Attorneys for Defendant  
Foster Wheeler LLC

[PROPOSED] ORDER

Good cause appearing from Foster Wheeler LLC's stipulated withdrawal of its notice of removal, this court hereby orders this case immediately remanded to state court.

Dated October \_\_, 2008



Hon. Susan Illston